

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Criminal Chief

SUSAN KNIGHT (CABN 209013)
HANLEY CHEW (CABN 189985)
Assistant United States Attorneys

150 Almaden Blvd., Suite 900
San Jose, California 95113
Telephone: (408) 535-5061
FAX: (408) 535-5066
E-Mail: Susan.Knight@usdoj.gov
Hanley.Chew@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DAVID FOLEY,)
)
Defendant.)
)
)
)
)
)

No. CR 11-00554 EJD
CR 09-00670 EJD

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CONTINUING
STATUS CONFERENCE FROM AUGUST
27, 2012 TO OCTOBER 1, 2012

The undersigned parties respectfully request that the status hearing currently set for August 27, 2012 be continued to October 1, 2012 at 1:30 p.m. On or about June 11, 2012, the parties participated in a settlement conference with United States Magistrate Judge Nathaniel Cousins. In that Settlement Conference, defense counsel and defendant raised several issues that the government needed to investigate further. The government has not as yet completed its investigation into these outstanding issues. Resolution of these issues may impact defendant's sentencing. Therefore, the parties respectfully request that the Court continue the currently scheduled status conference from August 27, 2012 to October 1, 2012 to provide additional time

1 for the government to complete its investigation and discuss the outstanding issues with defense
2 counsel.

3
4 SO STIPULATED:

MELINDA HAAG
United States Attorney

5 DATED: 8/7/12

/s/
SUSAN KNIGHT
HANLEY CHEW
Assistant United States Attorneys


8 DATED: 8/7/12

/s/
BENJAMIN LABAN SINGER
Counsel for Mr. Foley

11 **ORDER**

12
13 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status conference
14 currently scheduled for August 27, 2012 be continued to October 1, 2012.
15 Time is excluded from August 27, 2012 through October 1, 2012 based on Government's continued
investigation.
IT IS SO ORDERED.

16
17 DATED: August 8, 2012


HONORABLE EDWARD J. DAVILA
United States District Judge